



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TJR

Docket No: 4142-99

10 December 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 16 February 1970 at the age of 18. Your record reflects that you served without disciplinary incident.

Your record reflects that on 22 April 1971, after undergoing a psychiatric examination, you were diagnosed with a passive dependent personality as evidenced by a character and behavior disorder. On 21 July 1971 you were notified of pending administrative separation action by reason of unsuitability due to the diagnosed character and behavior disorder. After consulting with legal counsel you waived your right to submit a statement in rebuttal to the discharge. On 23 July 1971 your commanding officer recommended you be issued a general discharge by reason of unsuitability. However, the discharge authority directed your commanding to issue you a honorable discharge by reason of the diagnosed character and behavior disorder and on 4 August 1981 you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as

your youth and immaturity, and your contention that you would like your narrative reason for discharge changed because you were having problems at home and with your health. However, the Board concluded these factors were not sufficient to warrant a change in your narrative reason for discharge because of your diagnosed character and behavior disorder. The Board noted that there is no evidence in your record, and you submitted none to support your contention that you were having problems at home and with your health, or that you did not have a character and behavior disorder. Given all the circumstances of your case, the Board concluded your narrative reason for discharge was proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director